IBM Docket: FIS920030123US1

Application for United States Patent

## Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## ULTRA-THIN SI CHANNEL CMOS WITH IMPROVED SERIES RESISTANCE

(check one)	Ø	is attached hereto  was filed on as				
		Application Serial No.				
		and was amended on _	(if applical	ble)		
includin		by state that I have review laims, as amended by any		ne contents of the above identific to above.	ed specification,	
in accor		nowledge the duty to disclosion with Title 37, Code of Fed		th is material to the examination 1.56(a).*	of this application	
	ion(s) f ion for	for patent or inventor's cer	tificate listed below	55, United States Code, §119 of and have also identified below a date before that of the application	ny foreign	
Prior Foreign Application(s) Claimed					Priority	
None						
(Numbe	er)	(Country)		(Day/Month/Year Filed)	yes no	
(Numbe	er)	(Country)		(Day/Month/Year Filed)	yes no	
prior Un 112, I a Regulat	elow an nited St cknowl ions, §	nd, insofar as the subject mates application in the matedge the duty to disclose in	natter of each of the onner provided by the material information tween the filing date	ates Code, § 120 of any United Sclaims of this application is not a first paragraph of Title 35, United States as defined in Title 37, Code of the prior application and the	disclosed in the ited States Code, § Federal	
None (Applic	ation S	erial No.)	(Filing Date)	(Status: patented, pe	nding, abandoned)	

Power of Attorney: As a named inventor, I hereby appoint Power of Attorney: As a named inventor, I hereby appoint Joseph P. Abate, Reg. No. 30,238, Jay H. Anderson, Reg. No. 38,371, Ira D. Blecker, Reg. No. 29,894, Steven Capella, Reg. No. 33,086, James J. Cioffi, Reg. No. P51,564, Harold Huberfeld, Reg. No. 26,665, Todd M. C. Li, Reg. No. 45,554, Anthony N. Magistrale, Reg. No. 35,595, Margaret Pepper, Reg. No. 45,008, H. Daniel Schnurmann, Reg. No. 35,791, Eugene I. Shkurko, Reg. No. 36,678, Steven Soucar, Reg. No. 32,440, William P. Skladony, Reg. No. 33,787, Tiffany Townsend, Reg. No. 43,199, Christopher A. Hughes, Reg. No. 26,914, Edward A. Pennington, Reg. No. 32,588, John E. Hoel, Reg. No. 26,279, Joseph C. Redmond, Jr., Reg. No 18,753, Michael E. Whitham, Reg. No. 32,635, Marshall M. Curtis, Reg. No. 33,138, Clyde R Christofferson, Reg. No. 34,138, and C. Lamont Whitham, Reg. No. 22,424, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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12/12/03

All correspondence should be directed to Whitham, Curtis & Christofferson, PC, 11491 Sunset Hills Road, Suite 340, Reston, Virginia 20190. Telephone calls should be directed to Whitham, Curtis & Christofferson, P.C. at (703) 787-9400. Please associate this application with customer number 30743.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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## Title 37, Code of Federal Regulations, §1.56(a):

- (a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.